

Page 6

10/624,015 Yang 20-11

Remarks

Entry of the above-noted amendments, reconsideration of the application, and allowance of all claims pending are respectfully requested. By this amendment, claims 1, 2, 4-8 and 11-12 remain and new claims 13-16 are added. These amendments to the claims constitute a bona fide attempt by applicants to advance prosecution of the application and obtain allowance of certain claims, and are in no way meant to acquiesce to the substance of the rejections.

Claim Rejection - 35 U.S.C. §102:

Claims 1-6 were rejected under 35 U.S.C. §102 as being anticipated by Jiang (US 2004/0120494). This rejection is respectfully traversed.

The following legal requirement is quoted from the MPEP 2131 and establishes what is required to sustain a rejection under 35 U.S.C. §102. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Claim 1 is directed to an automated method for correlating data associated with separate call detail records. A first call detail record associated with one of the calling and called parties is accessed relating to a first previously completed call. The identity of the other of the calling and called parties is ascertained from the first call detail record. A determination is made up whether the one party subscribes to a first feature based on information contained in the first call detailed record. A second call detail record associated with the other of the calling and called parties for the first call is accessed where the second call detail record is stored independent of the storage of the first call detail record. A determination is made if the other party subscribes to a predetermined feature based on information contained in the second call detail record. A further determination is made if a predetermined correlation exists for the first call based on whether the one party subscribes to the first feature and the other party subscribes to the predetermined feature based on information contained in the first and second call detail records.

Jiang is directed to a method for customizing call terminations. More specifically, custom ring back tones can be provided to the calling party if a subscription to such a service is determined. First, Jiang is not directed to or concerned with information contained in call detail records, i.e. call related data stored in records for previously completed calls. To the contrary, the method provided in Jiang requires information that must be provided during initial call set up, i.e. during an ongoing call. Therefore, Jiang does not teach the required limitations in accordance with claim 1 and the rejection under 35 U.S.C. 102 of claim 1 based on Jiang should be withdrawn.

Although not previously applied as grounds for rejecting claim 1, Elliot in combination with Jiang was relied upon in rejecting claims 8-12 based on 35 U.S.C. 103. Elliott is directed to a statistics engine for collecting data associated with call detail records. More specifically, Elliot is concerned with collecting statistics relating to toll-free calls and providing this information to customers with toll-free telephone numbers. As defined in claim 1, the present method is concerned with identifying and correlating independent first and second call detail records where each relate the same call, i.e. typically an originating party call detail record and the call receiving party call detail record. None of the cited text portions of Elliot address this problem. Indeed, it is believed that Elliot does not teach or suggest, either considered independently or in combination with Jiang, the subject matter of claim 1. Therefore, claim 1 is not anticipated by or rendered obvious in view of these references.

In the Office Action claim 7 was rejected under 35 U.S.C. 103 in view of Jiang and Petrakos ((US 2001/0053706). Petrakos is relied upon only for allegedly teaching subject matter related to claim 7. Hence, Petrakos does not add or supply a required teaching that would render the subject matter of claim 1 obvious even if considered in combination with Jiang and/or Elliot.

Therefore, it is believed that none of the applied references, considered individually or in combination, render the subject matter of claim 1 obvious.

Page 8

10/624,015 Yang 20-11

Claim Rejections - 35 U.S.C. §103

Claims 8-12 were rejected under 35 U.S.C. 103 as being a patentable over Elliott in view of Jiang. It is believed that independent claim 8 is not obvious in view of the applied combination for reasons explained above with regard to claim 1.

New claims presented:

New claims 13-16 are presented for consideration. These claims are directed to modifying the first call detail record based on information determined from the identified second call detail record. None of the applied references appear to teach or suggest the subject matter presented in these claims.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney.

Respectfully submitted,



Charles L. Warren
Attorney for Applicants
Reg. No. 27,407

Dated: July 29, 2005

PATTI & BRILL, LLC
Customer Number 47382